

Pastor	Sánchez, Linda	Tanner
Paul	T.	Tauscher
Payne	Sanders	Thompson (CA)
Pelosi	Schakowsky	Thornberry
Pence	Schiff	Tierney
Peterson (MN)	Schwartz (PA)	Towns
Petri	Scott (GA)	Udall (CO)
Platts	Scott (VA)	Van Hollen
Poe	Sensenbrenner	Velázquez
Pomeroy	Serrano	Wasserman
Price (GA)	Sessions	Schultz
Rangel	Shadeeg	Watt
Reyes	Sherman	Waxman
Rohrabacher	Skelton	Weiner
Rothman	Slaughter	Westmoreland
Royce	Snyder	Wexler
Ruppersberger	Solis	Wilson (SC)
Rush	Stark	Wolf
Ryan (WI)	Stearns	Wu
Sabo	Stupak	Wynn
Salazar	Sweeney	

## NOT VOTING—13

Ackerman	Granger	Ney
Boehlert	Harris	Strickland
Case	Millender-	Thompson (MS)
Cubin	McDonald	Walsh
Evans	Moore (KS)	

□ 1610

Messrs. GUTKNECHT, PETRI, SWEENEY, BURGESS, INGLIS of South Carolina, and FORD, and Ms. GINNY BROWN-WAITE of Florida changed their vote from "yea" to "nay."

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 65

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 65.

The SPEAKER pro tempore (Mr. GUTKNECHT). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

## APPOINTMENT OF CONFEREES ON H.R. 5441, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ROGERS of Kentucky, WAMP, LATHAM, Mrs. EMERSON, Messrs. SWEENEY, KOLBE, ISTOOK, CRENSHAW, CARTER, LEWIS of California, SABO, PRICE of North Carolina, SERRANO, Ms. ROYBAL-ALLARD, Messrs. BISHOP of Georgia, BERRY, EDWARDS, and OBEY.

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 65

Mr. FARR. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 65.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, at this time I yield to my friend, the majority leader, Mr. BOEHNER, for the purposes of inquiring about the schedule for the week to come.

Mr. BOEHNER. I thank my colleague from Maryland for yielding.

Next week, Mr. Speaker, the House will convene on Monday at 12:30 for morning hour and 2 p.m. for legislative business. No votes will occur before 6:30 on Monday evening. We will have a number of measures considered under suspension of the rules. We will have a final list of those bills to Members' offices by tomorrow afternoon.

For the balance of the week, the House will consider H.R. 6054, the Military Commissions Act; H.R. 5825, the Electronic Surveillance Modernization Act; H.R. 748, the Child Interstate Abortion Notification Act; H.R. 2679, the Public Expression of Religion Act; H.R. 5631, Department of Defense appropriations conference report; the National Institutes of Health reauthorization bill; H.R. 5313, Open Space and Farmland Preservation Act; and H.R. 5092, the BATFE Modernization and Reform Act of 2006.

In addition to that, I would note that a conference report may be brought up at any time, and I expect to see H.R. 5122, the Sonny Montgomery National Defense Authorization Act for Fiscal Year 2007 conference report.

In addition to these, we do hope to have suspension authority for all of next week to try to accommodate Members who have suspension items on both sides of the aisle. It is expected that there will be many suspensions next week, and I want to prepare Members for that.

□ 1615

Mr. HOYER. I thank the gentleman for that information. To clarify, am I correct that the three bills that you mentioned prior to the mentioning of the last conference report, the NIH authorization bill, the Open Space and Farmland Preservation Act, and the Bureau of Alcohol, Tobacco and Firearms Modernization Reform Act, am I correct they will all be suspension bills?

Mr. BOEHNER. Likely they will.

Mr. HOYER. I thank the gentleman.

On the schedule, last week we talked about the 29th being the target date,

and that we were going to get out on the 29th. But that being Friday, we might go over to Saturday if we did not finish on Friday, and we have advised Members to make sure that their Saturday schedule was flexible to accommodate that. But can you clarify that additionally as to what your thoughts are and the possibility of being here on Saturday?

I yield to my friend.

Mr. BOEHNER. I thank my colleague for yielding.

I have told Members and have told you for months that we will be finished on the 29th. We will be finished on the 29th. Now, how long the 29th lasts, I don't know. But I would expect that we would be here on the evening of the 29th and hopefully not much longer than that.

Mr. HOYER. I thank the gentleman for that information.

It reminds me that before we had a court of appeals opinion in Maryland, before I went to the Senate, constitutionally you had a 90-day session, but as you point out, on the last day you weren't quite sure how long that last day would be.

Mr. BOEHNER. If the gentleman would yield, we have both been here long enough to know that that last day before the recess for the election lasts a little longer than an average day.

Mr. HOYER. I hear you. I will advise our Members not to have Friday night planes scheduled, and to have maybe a little later Saturday scheduled, maybe well into the morning.

November is when we will next reconvene, it is my understanding. You previously indicated that after we have our last votes, the House will not be in session again until Monday, November 13. Is that still your intention?

I yield to my friend.

Mr. BOEHNER. It is.

Mr. HOYER. What can you tell us about the rest of the November and December schedule so that Members might be planning for that as well? Are we likely to have votes on Friday, the 17th, for example; and what about the following week and Thanksgiving week?

Mr. BOEHNER. I would expect that we would have votes all that week, including the 17th. But once you get beyond there, it really is unclear as to when we will be back. I have been working with the Senate leadership trying to come to some understanding. We have not come to any agreement or understanding. But I can say this. If we cannot complete our work by Thanksgiving, which in my view is doubtful, that the House would be off the week of Thanksgiving and the following week and would come back the week of December 4 for a week or two to finish our business.

I think that is the most realistic schedule that I see. Is it firm? Nowhere close. But in terms of trying to be helpful to Members as they plan, that is as helpful as I can be with the knowledge that I have today.

Mr. HOYER. I thank the gentleman for that information. We understand it has to be tentative, and we understand that the leader cannot anticipate exactly what will and will not pass within certain time frames. We appreciate sort of the ballpark estimate of what would be available for time if we need it.

You have not noted, but there has been a lot of talk about tax-related legislation and speculation as to whether or not we will consider any tax or trade-related legislation, for example, the tax extenders, prior to leaving for the elections. It is not on your schedule. Do you have any expectation that we would be considering prior to the election, not after the election but prior to, any tax legislation, extenders or otherwise?

Mr. BOEHNER. I do not.

Mr. HOYER. You do not. Thank you.

There is noted on the calendar a bill which is the Child Interstate Abortion Notification Act. Would it be your expectation there would be any other legislation prior to the election dealing with that subject, abortion?

Mr. BOEHNER. I am not sure that there is any definitive answer on that. We do have this interstate notification bill up next week. There was some consideration to the unborn child pain bill that some Members have been hoping to get up. At this point I do not expect to have it on the floor next week. But at this point that is as much information as I have.

Mr. HOYER. I thank you for that.

You mentioned we are going to have, and you are going to try to pass a rule, I suppose, to give you suspension authority all of next week. Are there any other bills that you are contemplating bringing up under suspension? You noted the three that we discussed. Are there any others?

I yield to my friend.

Mr. BOEHNER. Which of the several hundred bills that Members have asked me to bring to the floor next week would you like to know about?

Mr. HOYER. It is a challenge, isn't it, Mr. Leader?

Mr. BOEHNER. If the gentleman would yield, we are working with Members on both sides of the aisle who have issues that have been through committee or are almost through committee that they would like to bring to the floor. As typically happens, I and my staff will work closely with you and your staff to schedule those so everyone has fair notice and we have gone through the usual scrubbing process.

Mr. HOYER. I thank the gentleman. I understand there are a lot of bills that are possible, and we appreciate that fact and appreciate his working with us to try to accommodate Members on both sides.

Two last things. Mr. GOODLATTE and Mr. PETERSON have been very concerned, as you know, about the drought and the stress that many of our farmers in rural areas of our country have

been experiencing. There has been a lot of discussion about assistance that we could give. Is there any contemplation that next week we might be able to consider an emergency disaster assistance bill, H.R. 5099, that will help our farmers and ranchers who have been badly hurt by floods, droughts and other natural disasters?

Mr. BOEHNER. I am not familiar with the bill, but I will be happy to take a look at it.

Mr. HOYER. I appreciate that.

The last question will not come as a surprise to you, I know. We still have yet to pass one appropriation bill.

Mr. BOEHNER. That's right. We are still talking about it.

Mr. HOYER. We have passed the others, but it is still out there. It is a large bill that deals with the education of our children, the health of our people, and the ability of our working people to succeed. I know that there is great attention being given to that bill. We are hopeful that it will come to the floor, and we are hopeful when it comes to the floor, there will be an opportunity to vote up or down on increasing the minimum wage over a period of time. Is there any hope or expectation that that bill might come to the floor?

Mr. BOEHNER. The gentleman is aware there are some problems with the bill. We have been having conversations about trying to solve those problems. I don't expect it to be on the floor next week.

With regard to raising the minimum wage, the House did, in fact, vote on that in late July. We sent it to the Senate where it remains under consideration.

Mr. HOYER. I thank the gentleman. Reclaiming my time, we would hope that you would continue to consider that.

#### ADJOURNMENT TO MONDAY, SEPTEMBER 25, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### WIRETAPPING SURVEILLANCE PROGRAM

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I rise today in support of the President's initiative to surveil known and suspected terrorists who call from outside the United States into their calls within our borders. Simply put, this initiative has saved lives by gathering valuable intelligence our law enforcement has used to prevent and foil terrorist attacks that have and continue to be planned, as I speak.

It simply escapes me how anyone, especially the Democrats, could be against such a vital program in the global war on terror.

Maybe my colleagues are confused about the purpose and parameters of this program. This is not a program to listen in on American citizens' conversations. To the contrary, it is a narrowly tailored program that is used only in the case of international calls coming into the United States from known or suspected terrorists.

As a Nation, we are facing a new kind of war and an enemy using new and unconventional means of warfare. Many have characterized this war as a clash of civilizations. It is time we face the realization that we can use all of the tools available to win this war, or we can ignore the threat and pay heavy consequences through American lives.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### REPUBLICANS OUT OF TOUCH

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to speak out of turn.

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, on November 7 the American people will go to the polls. As the New York Times reported this morning, only one in four Americans approves of the job being done by the Republican-controlled Congress. Seventy-five percent of American believes that Republicans have not governed in the best interests of the American people. That is a landslide vote of no confidence to the Republican Party, and I will include for